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AMENDED VERIFIED SHAREHOLDER DERIVATIVE COMPLAINT Case No. C 08-02029 CRB

Nominal Defendant.

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## **MANUAL FILING NOTIFICATION**

Regarding: Amended Verified Shareholder Derivative Complaint for Violations of and Conspiracy to Violate the Racketeer Influenced and Corrupt Organizations Act; Violations of the Sarbanes Oxley Act of 2002; Violations of Section 10b of the Securities Exchange Act of 1934; Breaches of and Conspiracy to Breach Fiduciary Duty; Fraud; Unjust Enrichment; Violations of California Corporations Code Sections 25402 and 25403; Waste of Corporate Assets; Declaratory Relief; Breach of Contract; Professional Negligence; and Legal and Accounting Malpractice. The above-mentioned document has been lodged with the Court pursuant to Civ. L.R. 79-5(d) in paper or physical form only, and is being maintained in the case file in the Clerk's office. If you are a participant in this case, this filing will be served in hard-copy shortly. For information on retrieving this filing directly from the court, please see the court's main web site at http://www.cand.uscourts.gov under Frequently Asked Questions (FAQ). This filing was not e-filed for the following reason(s): Voluminous Document (PDF file size larger than the e-filing system allows) [ ] Unable to Scan Documents [\_] Physical Object (description): \_\_\_\_\_ Non-Graphic/Text Computer File (audio, video, etc.) on CD or other media [X] Item Under Seal (N.D. Cal. Civ. L.R. 79-5(d)) [\_] Conformance with the Judicial Conference Privacy Policy (General Order 53). Other (description): DATED: July 21, 2008 Respectfully submitted, JOHNSON BOTTINI, LLP FRANK J. JOHNSON FRANCIS A. BOTTINI, JR. DEREK J. WILSON /s/Francis A. Bottini, Jr. FRANCIS A. BOTTINI, JR. 655 W. Broadway, Suite 1400 San Diego, CA 92101 Telephone: (619) 230-0063

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